REMARKS

The Applicant has now had an opportunity to carefully consider the comments set forth in the Office Action mailed November 2, 2004.

Amendment, reexamination and reconsideration of the application in view of the following remarks is respectfully requested.

The Office Action

In the Office Action of November 2, 2004:

claims 1, 2, 4, 5, 7-13, 18, 20 and **22-30** were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,813,010 to Okamoto, et al. ("Okamoto") in view of U.S. Patent No. 6,002,798 to Palmer, et al. ("Palmer");

claims 3 and **14** were rejected under 35 U.S.C. §103(a) as being unpatentable over Okamoto in view of Palmer and further in view of U.S. Patent No. 6,345,764 to Knowles ("Knowles");

claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over Okamoto in view of Palmer and further in view of U.S. Patent No. 5,276,616 to Kuga, et al. ("Kuga");

claims 15 and **16** were rejected under 35 U.S.C. §103(a) as being unpatentable over Okamoto in view of Palmer and further in view of U.S. Patent No. 4,903,229 to Schmidt, et al. ("Schmidt");

claim 17 was rejected under 35 U.S.C. §103(a) as being unpatentable over Okamoto in view of Palmer and Schmidt and further in view of U.S. Patent No. 6,064,397 to Herregods, et al. ("Herregods"); and

claim 21 was rejected under 35 U.S.C. §103(a) as being unpatentable over Okamoto in view of Palmer and further in view of U.S. Patent No. 6,336,124 to Alam, et al. ("Alam").

The Present Application

By way of brief review, the present application is directed to a system and method for automatic and semi-automatic document indexing. For instance, the invention is useful where a large document is scanned to generate an electronic version of the document. For example, the invention is used to generate a table of contents or an index for the electronic version of the document (for example, see FIG. 1). A custom sub-section delimiter definition that is related to the document

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currently being processed can be generated. The delimiter definition includes a list of one or more characteristics of a delimiter (page 5, lines 13-30).

For example, a review of the document may indicate that chapter headings in the document are rendered in an 18-point font size at a location that is centered horizontally on a page and is two inches below the top of the page. In that case, a first sub-section delimiter may be defined as any text located two inches from the top of a page and rendered in an 18-point font size.

Subheadings in the exemplary document might occur anywhere on a page but are rendered in a 16-point font size with underlined characters. Therefore, a second sub-section delimiter for the document might be defined as underlined 16-point text.

Once one or more sub-section delimiters are defined, the electronic version of the document is searched to find occurrences of text corresponding to the defined sub-section delimiters. Information regarding each occurrence is used to create an index or table of contents for the document. For example, for each occurrence of 18-point text located two inches from the top of a page, the text string associated with the occurrence is recorded in association with a text location of the occurrence. For example, the text "CHAPTER ONE" was found rendered in 18-point font two inches from a top edge of page 3 of the document. Therefore, the text "CHAPTER ONE" is associated with a page number, such as page 3, and is recorded and included in the index or table of contents. The text location information may be recorded in the form of a hypertext link. Similarly, the text and text location associated with each occurrence of underlined 16-point text is recorded and added to the index or table of contents. For example, the text location recorded may include a page number as well as an indication of a location within the page. Again, the text location information may be recorded in the form of a hyperlink.

The Newly Cited Reference

In contrast, the newly cited reference of the Office Action to Palmer allegedly discloses a method and apparatus for storing document images, for creating retrieval index by which the document images may be retrieved, and for displaying the document images. When a document image is obtained, the document image is subjected to rule-based block selection techniques whereby individual regions within the document are identified, and the types of regions are also identified, such as

title-type regions, text-type regions, line art-type regions, halftone-type regions and color image-type regions. <u>The identification is used to create structural information and both the document image and the structural information is stored</u>. A word based retrieval index is created based on title type regions and/or text type regions, the retrieval index being used in conjunction with a search query as to be able to retrieve documents which match the search query (Abstract). It is respectfully submitted that the index of Palmer is not displayed to a user. Instead, the index of Palmer is for use in a document retrieval computer search process. As such, every word in the selected regions is included in the index.

Additionally, it is respectfully submitted that Palmer does not disclose or suggest determining, selecting, indicating or otherwise defining a subsection delimiter or searching for occurrences of a subsection delimiter in order to generate the index or to divide the document up into sections. <u>Instead, as indicated by the Office Action, Palmer discloses using a rule-based knowledge base to identify the individual regions</u>.

Furthermore, as will be explained in greater detail below, It is respectfully submitted that there is no motivation in the art to combine subject matter from Palmer with subject matter from the previously cited references, including Okamoto, Knowles, Kuga, Schmidt, Herregods and Alam.

The Claims are not Obvious

Claims 1, 2, 4, 5, 7-13, 18, 20 and **22-30** were rejected under 35 U.S.C. §103(a) as being unpatentable over Okamoto in view of Palmer.

Claim 1 recites a method operative to automatically generate an index for a document, the method comprising determining a subsection delimiter including at least one delimiter characteristic, searching the document to find occurrences of items corresponding to the defined subsection delimiter and generating the index for the document with found items corresponding to the subsection delimiter occurrences.

In explaining the rejections of **claims 1, 2, 4, 5, 7-13, 18, 20** and **22-30**, the Office Action outlines aspects of the disclosures of Okamoto and Palmer.

However, it is respectfully submitted that the Office Action does not assert that either reference taken alone or combination discloses determining a subsection delimiter definition including at least one delimiter characteristic. The Office Action

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does not assert that Okamoto or Palmer discloses or suggest searching the document to find occurrences of items corresponding to the defined subsection delimiter. Additionally, the Office Action does not assert that Okamoto or Palmer discloses or suggests generating the index for the document with found items corresponding to the subsection delimiter occurrences.

The Office Action does make reference to the use of a line return code and a space code or segmentation symbols such as "...", ";", ",", or ":" and asserts that such disclosure teaches the delimiter definition limitation of the claim. Additionally, the Office Action makes reference to a rule-based knowledge system described as being used for identifying specific areas in a document and for determining the content of an image by Palmer.

However, it is respectfully submitted that the segmentation codes of Okamoto are not fairly read as delimiters as disclosed in the present application and recited, for example, in **claims 1**, **9**, **18**, **20** and **28**. It is respectfully submitted that the mention of knowledge base rules in Palmer does not disclose or suggest determining or selecting a subsection delimiter definition as disclosed in the present application and recited, for example, in **claims 1**, **9**, **18**, **20** and **28**.

Furthermore, even if the segmentation codes of Okamoto and the rule-based knowledge system of Palmer are read to suggest delimiter definitions, it is respectfully submitted that the segmentation codes and rule-based knowledge are predetermined and are applied to every document presented to the respective systems; whereas, according to the methods of the present application, the subsection delimiter definition can be determined on a document-by-document basis.

The Office Action stipulates that Okamoto does not disclose generating an index for a document. The Office Action asserts that Palmer discloses a method and apparatus for creating and indexing documents. However, even if Palmer discloses a method for indexing documents, Palmer does not disclose or suggest searching a document to find occurrences of items corresponding to a defined subsection delimiter and generating the index for the document with found items corresponding to the subsection delimiter occurrences, as recited, for example, in **claim 1**. Instead, as pointed out by the Office Action, Palmer mentions a method which uses a rule-based knowledge system.

For at least the foregoing reasons, it is respectfully submitted that

independent **claims 1, 9, 18, 20** and **28** are not anticipated and are not obvious in light of Okamoto and Palmer taken alone or in any combination.

Furthermore, it is respectfully submitted that there is no motivation in the art to combine the subject matter of Okamoto with the subject matter of Palmer. The Office Action asserts that it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Palmer into the teachings of Okamoto in order to quickly locate the index occurrence position of a major subsection of the document and customize indexing for a particular user or field for faster and specialized use. However, it is respectfully submitted that such motivation can only be found in the present application and the rejection of **claims 1, 2, 4, 5, 7-13, 18, 20** and **22-30** are based on impermissible hindsight. The document generating system and document processing method allegedly disclosed by Okamoto is not concerned with generating indexes and is complete for the purpose for which it was intended. Furthermore, the process of Okamoto already includes the application of a large number of rules defined in a rule dictionary (column 5, lines 42-49). The rule-based block selection techniques of Palmer are likewise complete. There is no indication in Palmer that additional or substitute processing involving the segmentation codes of Okamoto would be of any benefit. For at least the foregoing reasons, it is respectfully submitted that the combination of subject matter from Okamoto and Palmer against the claims of the present application can only be based on impermissible hindsight.

For at least for foregoing additional reasons, independent **claims 1, 9, 18, 20** and **28**, as well as **claims 2-8, 21-25, 29** and **30**, which depend from **claim 1**, and **claims 10-17, 26** and **27**, which depend from **claim 9** are not anticipated and are not obvious in light of Okamoto and Palmer taken alone or in any combination.

Additionally, **claim 2** recites wherein determining a subsection delimiter comprises indicating at least one of a font size, a font style, a text string, a text location description, a predetermined machine readable symbol, and a specific point coordinate within the document. The Office Action does not assert that Okamoto and Palmer disclose or suggest the subject matter of **claim 2**. Indeed, it is respectfully submitted that Okamoto and Palmer do not disclose or suggest determining a subsection delimiter comprises indicating at least one of a font size, a font style, a text string, a text location description, a predetermined machine readable symbol, or a specific point coordinate within the document. Okamoto

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suggests only the punctuation marks listed above to be segmentation codes. Palmer does not disclose or suggest subsection delimiters at all but, instead, discusses rule-based block selection techniques and a rule-based knowledge system. Palmer mentions region attributes **54** may be stored, for example, font selection and size as illustrated in FIG. 6, and that other attributes may also be stored, such as number of text lines, number of paragraphs, etc. (column 7, lines 41-44). However, these are elements of structural information collected regarding an analyzed document and are not disclosed or suggested to be components of a delimiter definition or delimiter characteristics occurrences of which are to be used during a search. Instead, it is respectfully submitted that they are structural information elements determined as a result of document processing.

For at least the foregoing additional reasons, **claim 2** is not anticipated and is not obvious in light of Okamoto and Palmer taken alone or in any combination.

Claim 7 recites wherein determining a subsection delimiter definition comprises selecting an exemplary subsection title, performing one of document recognition and optical character recognition on the selected exemplary subsection title, and using at least one recognized property of the exemplary subsection title as a subsection delimiter definition. The Office Action stipulates that Okamoto fails to disclose each of the elements recited in claim 7 and appears to rely on Palmer for such disclosure. The Office Action asserts that the CPU of Palmer identifies the type of region, for example, where a region is a title region, a text region, a paragraph region, a table region, etc. The Office Action also asserts that Palmer discloses that the CPU subjects designated document regions to OCR processing in preparation for creating a retrieval index for the document. Furthermore, the Office Action asserts Palmer discloses that the CPU offers the operator the option of selecting the index level wherein the operator selects a level, such as level 1, and then the CPU subjects only title regions to OCR processing. However, the Office Action does not assert that Palmer discloses or suggests selecting an exemplary subsection title, performing document recognition or optical character recognition on the selected subsection title and using at least one recognized property of the exemplary subsection title as a subsection delimiter definition to be used in a search. Indeed, it is respectfully submitted that neither Okamoto nor Palmer disclose or suggest using at least one recognized property of an exemplary subsection title as a subsection delimiter definition describing characteristics to be searched for.

For at least the foregoing additional reasons, **claim 7** is not anticipated and is not obvious in light of Okamoto and Palmer taken alone or in any combination.

Claim 8 recites wherein determining a subsection delimiter definition comprises displaying a plurality of document pages on the user interface, selecting at least one demarcation point on at least one of the plurality of pages and using the at least one demarcation point as the defined subsection delimiter. It is respectfully submitted that the Office Action does not assert that Okamoto and Palmer disclose or suggest the subject matter of **claim 8**. Furthermore, it is respectfully submitted that Okamoto and Palmer do not disclose or suggest displaying a plurality of document pages on a user interface. Additionally, it is respectfully submitted that Okamoto and Palmer do not disclose or suggest selecting at least one demarcation point on at least one of the plurality of pages and using the at least one demarcation point as the defined subsection delimiter for searching the document to find occurrences of items corresponding to the defined subsection delimiter.

For at least the foregoing additional reasons, **claim 8** is not anticipated and is not obvious in light of Okamoto and Palmer taken alone or in any combination.

Claim 9 recites a document processor operative to automatically generate an index for a document from occurrences corresponding to a delimiter definition. The document processor comprising a document input device operative to provide an electronic version of a document, a document storage device operative to store the electronic version of the document, a delimiter searcher operative to search for and record text and location information regarding the occurrences corresponding to the delimiter definition within the electronic version of the document and a document divider operative to divide the document into subsections based on the recorded information regarding the occurrences corresponding to the delimiter definition.

Arguments similar to those submitted in support of **claim 1** are submitted in support of **claim 9**. Neither Okamoto nor Palmer disclose or suggest a delimiter searcher operative to search for and record text and text location information regarding the occurrences corresponding to the delimiter definition. Even if Okamoto discloses searching for occurrences corresponding to a delimiter definition, Okamoto does not disclose or suggest recording text and text location information regarding the occurrences. Instead, it is respectfully submitted Okamoto discloses further processing text associated with occurrences of the combination of a line return, segmentation code and character count and recording document architecture

information associated with the small fraction of occurrences that qualify for entry in the logical architecture by surviving a long series of rules checks (e.g., table 1, table 2, table 3, table 4, columns 3-5). For the foregoing reasons, Okamoto does not disclose or suggest a delimiter searcher for recording text and text location information regarding the occurrences corresponding to the delimiter definition as recited in **claim 9**.

As indicated by the Office Action, Palmer processes a document based on rules. Therefore, it is respectfully submitted that Palmer cannot disclose or suggest a delimiter searcher operative to search for and record text and text location information regarding the occurrences corresponding to the delimiter definition within the electronic version of the document. For at least the foregoing additional reasons, **claim 9** is not anticipated and is not obvious in light of Okamoto and Palmer taken alone or in any combination.

Claim 10 has been amended, to correct antecedents, to recite the document processor of **claim 9** further comprising a user interface operative to transfer information between a document processor operator and portions of the document processor and a delimiter designator module operative to communicate with the document processor operator through the user interface in order to generate at least one delimiter designation for the delimiter definition. Palmer suggests a user interface. However, it is respectfully submitted that Palmer does not disclose or suggest a delimiter designation module operative to communicate with the document processor operator through the user interface in order to generate at least one delimiter designation for a delimiter definition to be used by a delimiter searcher to search for and record text and text location information regarding occurrences corresponding to the delimiter definition. Similar arguments apply to Okamoto. It is respectfully submitted that the segmentation codes of Okamoto are not selected by an operator through a user interface.

For at least the foregoing additional reason, **claim 10** is not anticipated and is not obvious in light of Okamoto and Palmer taken alone or in any combination.

Claim 11 recites the document processor of **claim 10** wherein the delimiter designator is operative to accept an indication of at least one of a font size, a font style, a text string, a text location description, a predefined machine readable symbol and a specific point coordinate within the document as a delimiter designation. Arguments similar to those submitted in support of **claim 2** are

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submitted in support of **claim 11**. It is respectfully submitted that the segmentation codes of Okamoto are predetermined and Okamoto does not disclose or suggest a delimiter designator that is operative to accept an indication of at least one of a font size, a font style, a text string, a text location description, a predefined machine readable symbol and a specific point coordinate within the document as a delimiter designation.

For at least the foregoing additional reasons, **claim 11** is not anticipated and is not obvious in light of Okamoto and Palmer taken alone or in any combination.

Claims 12 and **13** recite subject matter similar to elements recited in **claim 8**. Arguments similar to those submitted in support of **claim 8** are submitted in support of **claims 12** and **13**.

Claim 18 recites, among other things, defining a subsection delimiter, wherein defining the subsection delimiter includes at least one of a document processor operator building a subsection delimiter from a list of predetermined potential subsection delimiter components, a document processor operator entering a subsection delimiter through keyboard strokes, entering a subsection delimiter by selecting symbols on a displayed portion of the electronic version of the document, and designating at least one demarcation point on at least one displayed portion of the electronic document to create a list of demarcation points to be used as a set of delimiter definitions, searching the recognized version to find occurrences of items that correspond to the defined subsection delimiter and using the found items to separate the document into separate sections.

It is respectfully submitted that Okamoto and Palmer do not disclose or suggest these elements of **claim 18**. It is respectfully submitted that Palmer discloses displaying a document structure and making provisions for an operator to indicate which portions of a document are to be displayed in greater detail. However, such indications occur after the document has been analyzed and broken into sections. The indications of the operator are not used to define a delimiter to be used in searching the recognized version to find occurrences of items that correspond to the defined subsection delimiter.

For at least the foregoing additional reasons, **claim 18** is not anticipated and is not obvious in light of Okamoto and Palmer taken alone or in any combination.

Claim 20 recites, among other things, defining a subsection delimiter wherein defining the subsection delimiter comprises marking the paper version of the

document with at least one predetermined machine readable demarcation symbol prior to scanning the document, searching the recognized version to find a occurrences of items that correspond to the defined subsection delimiter and using the found items to separate the document into separate sections. It is respectfully submitted that during the telephone interview of June 7, 2004, during discussions regarding **claim 30**, the Examiner and the Primary Examiner indicated that the phrase -- predetermined machine readable -- would distinguish over the segmentation codes of Okamoto. Additionally, it is respectfully submitted that Palmer does not disclose or suggest defining a subsection delimiter, wherein defining the subsection delimiter comprises marking a paper version of the document with at least one predetermined machine readable demarcation symbol prior to scanning the document.

For at least the foregoing additional reasons, **claim 20** is not anticipated and is not obvious in light of Okamoto and Palmer taken alone or in any combination.

Claim 22 recites subject matter similar to **claims 2** and **20** as discussed above. In this regard, arguments similar to those submitted in support of **claims 2** and **20** are submitted in support of **claim 22**. Furthermore, **claim 22** does not recite a text string. It is respectfully submitted that if the segmentation codes of Okamoto are considered to be subsection delimiters, they could only be considered text strings and could not be considered to constitute a font size, a font style, a text location description, a predetermined machine readable symbol and a specific point coordinate within the document as those phrases are used in the present application and recited in **claim 22**. **Claim 23** recites subject matter similar to that recited in **claim 22** except that **claim 23** does not recite a text location description. Arguments similar to those submitted in support of **claim 22** are submitted in support of **claim 23**. Even if the segmentation codes of Okamoto are considered to be text location descriptions, they cannot be considered to be a font size, a font style, a predetermined machine readable symbol and a specific point coordinate within the document.

For at least the foregoing additional reasons, **claims 22** and **23**, as well as **claims 24** and **25**, which depend respectively therefrom, are not anticipated and are not obvious in light of Okamoto and Palmer taken alone or in any combination.

Claims 26 and **27** depend from **claim 10** but otherwise recite subject matter similar to that recited by **claims 22** and **23**, respectively. Arguments similar to those

submitted in support of **claims 22** and **23** are submitted in support of **claims 26** and **17**.

Claim 28 recites, among other things, defining a subsection delimiter, wherein defining the subsection delimiter comprises at least one of building a subsection delimiter from a list of predetermined potential subsection delimiter components, performing statistical analysis on recognized characters to select characteristics that are most likely to be associated with subsection delimiters, entering a subsection delimiter by selecting symbols on the display portion of the electronic version of the document and designating at least one demarcation point on at least one display portion of the electronic document to create a list of demarcation points to be used as a set of delimiter definitions, searching the recognized version to occurrences of items that correspond to the defined subsection delimiter and using the found items to separate the document into separate sections.

It is respectfully submitted that the Office Action does not assert that Okamoto and Palmer disclose or suggest these elements of **claim 28**. Furthermore, it is respectfully submitted that Okamoto and Palmer do not disclose these elements of **claim 28**.

Additionally, arguments similar to those submitted in support of **claim 18** are submitted in support of **claim 28**. Palmer discloses selecting structural components from a structural component display to indicate portions of a document to be displayed in greater detail. However, this does not disclose or suggest entering a subsection delimiter by selecting symbols on the display portion of the electronic version of the document or designating at least one demarcation point on at least one display portion of the electronic document to create a list of demarcation points to be used as a set of delimiter definitions to be used in searching the recognized version of the document.

For at least the foregoing additional reasons, **claim 28** is not anticipated and is not obvious in light of Okamoto and Palmer taken alone or in any combination.

Claim 29 recites the method operative to automatically generate an index for a document of **claim 1** wherein determining a subsection delimiter consists of indicating at least one of a font size, a font style, a text location description, and a specific point coordinate within the document. It is respectfully submitted that the Office Action does not assert that Okamoto and Palmer disclose or suggest the

subject matter of **claim 29**. Furthermore, it is respectfully submitted that during the telephone interview of June 7, 2004, the Examiner and the Primary Examiner indicated that in its present form, **claim 29** would distinguish over the references cited at that time, including Okamoto.

Claim 30 recites the method operative to automatically generate an index for a document of **claim 1** wherein determining a subsection delimiter consists of using a predetermined machine readable marking representing a demarcation point on a printed version of the document as the subsection delimiter. It is respectfully submitted that Okamoto and Palmer do not disclose or suggest the subject matter of **claim 30**. Even if the segmentation codes of Okamoto are considered to be subsection delimiters, it is respectfully submitted that the listed punctuation marks can only be considered text strings and are not predetermined machine readable markings as disclosed in the present application and recited in **claim 30**.

Claims 3 and **14** were rejected under 35 U.S.C. §103(a) as being unpatentable over Okamoto in view of Palmer and further in view of Knowles. In explaining the rejection, the Office Action stipulates that Okamoto as modified by Palmer fails to disclose that a delimiter searcher is operative to search for a defined delimiter comprising a symbol selected from a bar code and a data glyph and further asserts that Knowles discloses a document containing bar codes.

However, disclosure of a document containing a bar code does not disclose or suggest that a predetermined machine readable symbol or marking be used as a subsection delimiter as recited in **claims 3** and **14**.

Furthermore, it is respectfully submitted that the combination of Okamoto, Palmer and Knowles is based on impermissible hindsight. The Office Action asserts that it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Knowles to the teachings of Okamoto as modified by Palmer because a reader may be trying to retrieve or search for a collection of bar code or information contained in a bar code, which simplifies the user's search because bar codes can be scanned instantaneously and directly leads to the precise information source. However, it is respectfully submitted that Okamoto and Palmer do not disclose or suggest the use of bar codes, data glyphs or predetermined machine readable symbols or markings for use as subsection delimiters or for any other purpose. Knowles is unrelated to index generation or document processing using heading rules, storage and retrieval

system for generating documents with hierarchical logical structures. Instead, Knowles is concerned with a portable hand-held worldwide web access terminal for accessing HTML encoded documents located on the worldwide web. There is no disclosure or suggestion in Knowles that bar codes or any other predetermined machine readable symbol or marking be used as a subsection delimiter in a method or system for generating an index.

For at least the foregoing additional reasons, **claims 3** and **14** are not anticipated and are not obvious in light of Okamoto, Palmer and Knowles taken alone or in any combination.

Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over Okamoto in view of Palmer and further in view of Kuga. However, **claim 6** depends from **claim 1** and is not anticipated and is not obvious for at least that reason.

Claims 15 and **16** were rejected under 35 U.S.C. §103(a) as being unpatentable over Okamoto in view of Palmer and further in view of Schmidt. **Claim 17** was rejected under 35 U.S.C. §103(a) as being unpatentable over Okamoto in view of Palmer and Schmidt and further in view of Herregods. **Claims 15**, **16** and **17** depend from **claim 9** and are not anticipated and are not obvious in view of Okamoto, Palmer, Schmidt and Herregods, taken alone or in any combination, for at least that reason.

Claim 21 was rejected under 35 U.S.C. §103(a) as being unpatentable over Okamoto in view of Palmer and further in view of Alam. **Claim 21** depends from **claim 1** and is not anticipated and is not obvious in light of Okamoto, Palmer and Alam, taken alone or in any combination, for at least that reason.

Telephone Interview

In the interests of advancing this application to issue the Applicant respectfully requests that the Examiner telephone the undersigned to discuss the foregoing or any suggestions that the Examiner may have to place the case in condition for allowance.
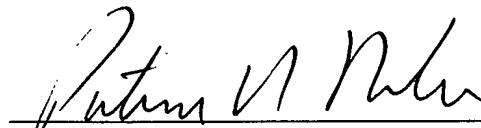
CONCLUSION

Claims 1-18 and **claims 20-30** remain in the application. **Claim 10** has been amended. For at least the reasons cited above, the application is now in condition for allowance. Accordingly, an early indication thereof is requested.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

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Date

Patrick R. Roche, Reg. No. 29,580
Thomas Tillander, Reg. No. 47,334
1100 Superior Avenue, 7th Floor
Cleveland, Ohio 44114-2579
(216) 861-5582

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